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SUBJECT: ANGOLA: ANNUAL UPDATE ON THE WORST FORMS OF CHILD LABOR

REF: STATE 127448

¶11. (U) The following responses reflect updated information as requested by ref STATE 127448.

Laws and Regulations on Child Labor

¶12. (U) Angola's constitution prohibits human bondage in general, and statutory law specifically prohibits forced or bonded child labor. The Government ratified the ILO Convention 182 on the Worst Forms of Child Labor on June 13, 2001, and is currently working with UNICEF and the Christian Children's Fund (CCF) to develop a list of occupations considered to be the worst forms of child labor, as required by the Convention. Angola acceded to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on March 24, 2005. While prostitution and unauthorized transport of children are prohibited under the general criminal statute, there are no specific laws targeting child prostitution, pornography, or trafficking. Anti-prostitution laws are not regularly enforced. Sexual relations with a child under 12 are considered rape. Sexual relations with a child between the ages of 12 and 15 may be considered sexual abuse, with convicted offenders liable for sentences of up to eight years in prison; however, limited investigative resources and an inadequate judicial system prevented prosecution of most cases. There were no known prosecutions during the year.

¶13. (U) The legal minimum age for apprenticeship is 14 years; full employment is legal at age 18. Children between the ages of 14 and 18 may not work at night, in dangerous conditions, or in occupations requiring great physical effort, and children less than 16 years of age are prohibited from factory work. The minimum age for military recruitment is age 18. While these laws provide legal protection for children working in the formal sector, the majority of children work in the largely unregulated informal sector.

Regulations for Implementation & Enforcement of Proscriptions

¶14. (U) The Inspector General of the Ministry of Public Administration, Employment, and Social Security (MAPESS) is responsible for enforcing labor laws and performing workplace inspections. The Children's Affairs court system, created in 2003 under the Ministry of Justice, has jurisdiction to adjudicate child labor violations, but only functions in the capital province of Luanda. In other provinces, child labor cases are adjudicated by the Provincial Criminal Courts for minors aged 16-18 or the Ministry of Family and Women's Affairs' Family Courts for children under age 16. Child labor violations are punishable by fines.

¶15. (U) While institutions are nominally in place to

investigate and prosecute child labor violations in the formal sector, no formal procedure for inspections and investigations into child labor abuses currently exists. The Angolan court system is already over-extended; few resources are available for Family or Children Affairs courts or child labor investigations. In addition, the government does not have the capacity to oversee the larger informal sector. This greatly hampers implementation and enforcement of laws against child labor as an overwhelming majority of child labor is outside the existing legal framework.

Social Programs to Prevent Child Labor

¶6. (U) The government, through the National Children's Assistance Institute (INAC), has worked to create, train and strengthen Child Protection Networks at the provincial and municipal level in all 18 provinces. These networks, comprised of local NGOs, religious leaders, and government officials, report cases in which they have successfully identified and removed children from exploitative work situations, but no mechanism exists to track cases or provide statistics.

Comprehensive Policy to Eliminate Child Labor

¶7. (U) In July 2007 the government created the National Children's Council (CNAC), an inter-ministerial commission designed to define priorities and coordinate the government's policies to combat all forms of violence against children, including the worst forms of child labor. All relevant

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ministries are represented on the council, as are civil society representatives and religious leaders. The national plan to combat violence against children remains at the working group level within the Council.

¶8. (U) Extreme poverty and the lack of educational opportunities remain significant factors driving children into the workforce. Though reliable statistics are unavailable, UNICEF estimates that at least one million school-age children remain out of the educational system. Primary education is compulsory, but there are not enough schools to provide universal primary education and there are ample reports of families with the means to do so paying bribes to school officials to secure seats for their children. Textbooks and school supplies are not provided by the government; this additional cost poses a significant barrier to entry for impoverished families. The Ministry of Education said 37% of 6-12 year olds were enrolled in school. An estimated 30 percent of eligible children were enrolled at the secondary level; rural areas generally lacked access to secondary education, and seats were often limited even in provincial capitals. There were reports of families paying bribes to education officials to ensure their child had a seat. According to the UN Educational, Social, and Cultural Organization, enrollment rates favored boys over girls, especially at the secondary level.

¶9. (U) The government is dedicating extensive resources to the expansion of the educational system; in 2007 the Ministry of Education's budget was over 1.7 billion USD, or 6.6 percent of the total budget. Over 471 million USD was allocated for new facilities and the rehabilitation and reconstruction of the more than 5,000 schools destroyed or damaged during the civil war. Undocumented children are permitted access to the educational system, but the parent or guardian must eventually provide a birth certificate. Fees for birth certificates and identification cards remain prohibitive for impoverished families. Though the official registration drive ended in 2004, the government continues to partner with UNICEF to identify and assist undocumented children, and provides limited subsidies to cover fees for families with proven financial need. In 2007 the government also announced a plan to provide birth certificates in health

clinics and maternity wards, but the program has yet to be implemented nationwide. However, the program is active in the cities of Luanda and Benguela.

Progress Toward Eliminating Child Labor

¶10. (U) The government has limited means to address child labor and exploitation in the informal economy. War and extreme poverty have brought large numbers of orphaned and abandoned children into employment in the informal economy. Street children are also common in the provinces of Benguela, Huambo, and Kwanza Sul. Children engage in wage-earning activities such as agricultural labor on family farms and commercial plantations, charcoal production, domestic labor and street vending. Exploitive labor practices include forced prostitution, involvement in the sale or transport of illegal drugs, and the offloading and transport of goods in ports and across border posts. There are anecdotal reports of children being trafficked internally for agricultural labor, domestic servitude, and for sexual exploitation, and externally to Namibia, South Africa, and the Democratic Republic of the Congo for agricultural and domestic labor.

¶11. (U) The government conducts regular information campaigns aimed at raising awareness of the rights of children and reducing all forms of violence, including the worst forms of child labor, sexual exploitation and trafficking. Although statistics on the extent of these problems are not yet tracked, the government openly discusses the issue in public forums and state-run news publications. Since 2006, the government has required proof of travel authorization from a parent or legal guardian for all children traveling outside of the country, and has worked with UNICEF and IOM to conduct anti-trafficking training for border police and immigration officials. Revisions to the penal code to criminalize trafficking in persons, sexual exploitation and violence against children were approved in 2008 and will be incorporated into the penal code.

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